

2013 DRAFTING REQUEST

Bill

Received:	8/13/2013	Received By:	mgallagh
Wanted:	As time permits	Same as LRB:	-3331
For:	Governor 261-2163	By/Representing:	Eileen Schoenfeldt
May Contact:		Drafter:	mgallagh
Subject:	State Govt - miscellaneous	Addl. Drafters:	
		Extra Copies:	FFK

Submit via email: **YES**
 Requester's email: **eileen.schoenfeldt@wisconsin.gov**
 Carbon copy (CC) to: **michael.gallagher@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

WEDC administrative reforms

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mgallagh 9/16/2013	evinz 9/17/2013	jmurphy 9/17/2013	_____			
/P1	mgallagh 9/23/2013	evinz 9/23/2013	jfrantze 9/23/2013	_____	srose 9/17/2013		
/P2	mgallagh 9/25/2013	evinz 9/25/2013	jfrantze 9/25/2013	_____	lparisi 9/23/2013		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	mgallagh 10/2/2013	kfollett 10/2/2013	jmurphy 10/2/2013	_____	lparisi 9/25/2013		
/2				_____	srose 10/2/2013	mbarman 10/3/2013	

FE Sent For:

howe

<END>

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/P2	mgallagh 9/25/2013	evinz 9/25/2013	jfrantze 9/25/2013	_____	lparisi 9/23/2013		

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1				<u> </u>	lparisi		
				<u> </u>	9/25/2013		

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/?	mgallagh	1/pl eev 9/17/13	Jm 9/17	self			

FE Sent For:

<END>

Gallagher, Michael

From: Schoenfeldt, Eileen - GOV <Eileen.Schoenfeldt@wisconsin.gov>
Sent: Tuesday, August 13, 2013 12:14 PM
To: Knepp, Fern; Gallagher, Michael
Cc: Schoenfeldt, Eileen - GOV
Subject: bill draft requests

Fern and Michael –

I have a number of bill draft requests. I didn't know which one of you would want them so I will just list them all below and you can split them up as you see fit.

- 1) WEDC administrative reforms
 - a. Allowing the WEDC board to hire/fire the CEO, COO & CFO
 - i. Is there a way to clarify that the Governor has the ability to make the CEO a cabinet secretary position?
 - ii. The board previously passed a resolution that states that the CEO has dual titles of CEO and Secretary. Can we clarify in the statutes that this is just one person and not two? I can get you a copy of the resolution if you would like.
 - b. The Board recently created three new committees to help with some administrative areas at WEDC. Each of those committees has non-board public members (ie retired bankers, professor at the UW Law School). The current statutes don't allow for the board to delegate decision making authority to anyone other than board members or staff at WEDC. We would like to put a pretty narrow provision in statute to allow for the non-board public members of those committees to have voting authority on those committees.
 - c. Changing the annual reporting date to the legislature under Ch 238.07(1) from January 1 to October 1 to better align with the fiscal year instead of the calendar year.
- 2) Clarify that enterprise zones can be re-designated if it has gone unused.
- 3) Brownfields
 - a. Delete the requirement under Ch 238.13(2)(a)1m that before WEDC awards a brownfields grant, it must consider recommendations of the department of administration.
 - b. Simplifying the brownfields program match requirement under Ch 238.13(2)(b)2 to be a minimum of 30%.
- 4) Under the Jobs Tax Credit Program, provide under program eligibility under Ch 238.16(3) to include net employment new to Wisconsin. In other words, if a company moves from another state, currently WEDC can only count new jobs to the company for job creation. We would like it changed to be able to count all of the new jobs to Wisconsin as eligible jobs.
- 5) Clarify in statute that WEDC can designate non-rural enterprise zones as site-specific rather than by geographic area. This has been the practice of WEDC and the old Department of Commerce.
- 6) Create a relocation tax credit for businesses moving to Wisconsin for 50% of moving costs. This would be for any businesses not subject to corporate income tax and would be deferrable for up to 10 years.

I will probably have a few more in the coming weeks. I realize that you may have questions about some of these. Please let me know if you need any additional information.

Thanks!

Eileen Schoenfeldt

Policy Advisor

Office of Governor Scott Walker

(608) 261-2163

eileen.schoenfeldt@wisconsin.gov

Gallagher, Michael

From: Gallagher, Michael
Sent: Thursday, August 15, 2013 2:14 PM
To: Schoenfeldt, Eileen - GOV
Cc: Knepp, Fern
Subject: RE: bill draft requests

Board can't give CEO's
powers/duties to
another employee.

Eileen: I have a couple of initial questions on the administrative reforms request.

Regarding 1) a. ii.—Chapter 238 does not refer to a secretary—only a chief executive officer, to whom the board may delegate any powers and duties the board sees fit. If WEDC wants to give the CEO an additional title, I'm not sure that has any relevance from the perspective of the statutes. Is the intent to prevent the board from giving the CEO additional titles or duties?

Regarding 1) b.—Are the committees delegated decision-making authority for WEDC by the board? Or does the board have to authorize or ratify any decisions a committee makes that impact the policies and procedures of WEDC?

Thanks.

Mike

Mike Gallagher
Attorney
Wisconsin Legislative Reference Bureau
(608) 267-7511

Just make sure stats. authorize
Board to establish such
committees as it deems
appropriate.

From: Schoenfeldt, Eileen - GOV [<mailto:Eileen.Schoenfeldt@wisconsin.gov>]
Sent: Tuesday, August 13, 2013 12:14 PM
To: Knepp, Fern; Gallagher, Michael
Cc: Schoenfeldt, Eileen - GOV
Subject: bill draft requests

Fern and Michael –

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- 1) WEDC administrative reforms
 - a. Allowing the WEDC board to hire/fire the CEO, COO & CFO
 - i. Is there a way to clarify that the Governor has the ability to make the CEO a cabinet secretary position?
 - ii. The board previously passed a resolution that states that the CEO has dual titles of CEO and Secretary. Can we clarify in the statutes that this is just one person and not two? I can get you a copy of the resolution if you would like.
 - b. The Board recently created three new committees to help with some administrative areas at WEDC. Each of those committees has non-board public members (ie retired bankers, professor at the UW Law School). The current statutes don't allow for the board to delegate decision making authority to anyone other than board members or staff at WEDC. We would like to put a pretty narrow provision in statute to allow for the non-board public members of those committees to have voting authority on those committees.

- c. Changing the annual reporting date to the legislature under Ch 238.07(1) from January 1 to October 1 to better align with the fiscal year instead of the calendar year.
- 2) Clarify that enterprise zones can be re-designated if it has gone unused.
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- 5) Clarify in statute that WEDC can designate non-rural enterprise zones as site-specific rather than by geographic area. This has been the practice of WEDC and the old Department of Commerce.
- 6) Create a relocation tax credit for businesses moving to Wisconsin for 50% of moving costs. This would be for any businesses not subject to corporate income tax and would be deferrable for up to 10 years.

I will probably have a few more in the coming weeks. I realize that you may have questions about some of these. Please let me know if you need any additional information.

Thanks!

Eileen Schoenfeldt

Policy Advisor

Office of Governor Scott Walker

(608) 261-2163

eileen.schoenfeldt@wisconsin.gov



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SAJ
ref

1 **AN ACT** *gen cat*; **relating to:** the Wisconsin Economic Development Corporation's chief
2 executive officer, committees, and reporting obligations.

Analysis by the Legislative Reference Bureau

✓ This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 238.02 (3) of the statutes is renumbered 238.02 (3) (a) and amended
4 to read:

5 238.02 (3) (a) ~~The board shall hire a chief executive officer shall be nominated~~
6 ~~by the governor and with the advice and consent of the senate appointed, to serve at~~
7 the pleasure of the governor board. *plan 1 Δ*

8 (b) The board shall establish the chief executive officer's powers and duties and
9 may delegate to the chief executive officer any powers and duties the board considers

1 proper. The board may not transfer to another person any power or duty the board
2 assigns to the chief executive officer.

3 (c) The chief executive officer shall receive such compensation as may be
4 determined by the board.

History: 2011 a. 7, 32.

5 **SECTION 2.** 238.02 (3) (d) of the statutes is created to read:

6 238.02 (3) (d) The governor shall coordinate with the chief executive officer as
7 if the chief executive officer is the head of a department or independent agency in the
8 executive branch of state government.

9 **SECTION 3.** 238.02 (4) of the statutes is amended to read:

10 238.02 (4) All powers and duties assigned to the corporation under this chapter
11 shall be exercised or carried out by the board, unless the board delegates the power
12 or duty to an employee of the corporation or a committee established by the board.

History: 2011 a. 7, 32.

13 **SECTION 4.** 238.04 (15) of the statutes is created to read:

14 238.04 (15) Establish such committees the board considers proper to assist
15 with the corporation's operation.

16 **SECTION 5.** 238.07 (1) of the statutes is amended to read:

17 238.07 (1) Annually, by ~~January~~ October 1, the board shall submit to the chief
18 clerk of each house of the legislature, for distribution to the legislature under s.
19 13.172 (2), a report identifying the economic development projects that the board
20 intends to develop and implement during the current calendar year.

History: 2011 a. 7; 2013 a. 20.

(END)

Gallagher, Michael

From: Schoenfeldt, Eileen - GOV <Eileen.Schoenfeldt@wisconsin.gov>
Sent: Thursday, September 19, 2013 5:32 PM
To: Gallagher, Michael
Subject: RE: Draft review: LRB -2916/P1 Topic: WEDC administrative reforms

Mike –

I've talked with WEDC and they came up with the following suggestion to try to simplify things. We would still need the reporting date change as well, but the language below seems to address all of the other issues.

Let me know what you think.

Eileen

Delete 238.02(3) in its present form in its entirety and add the following to par. (4):

238.02 (4)(a) Except the powers and duties as provided in par. (b), all powers and duties assigned to the corporation under this chapter shall be exercised or carried out by the board, unless the board delegates the power or duty to an employee of the corporation or a committee established by the board.

(b) The board or a committee of the board shall employ a chief executive officer to serve as the head of the corporation, chief operating officer, and chief financial officer to serve at the pleasure of the board. The chief executive officer, chief operating officer, and chief financial officer shall receive such compensation as may be determined by the board or a committee of the board. The governor shall coordinate with the chief executive officer as if the chief executive officer is the head of a department or independent agency in the executive branch of state government.

From: Gallagher, Michael [<mailto:Michael.Gallagher@legis.wisconsin.gov>]
Sent: Wednesday, September 18, 2013 9:45 AM
To: Schoenfeldt, Eileen - GOV
Subject: RE: Draft review: LRB -2916/P1 Topic: WEDC administrative reforms

Eileen: The board has that power under current law. See 238.04 (8) (The board may "[e]mploy any officers, agents, and employees that it may require and determine their qualifications, duties, and compensation."). There is no reference to other executive level officers in ch. 238, other than the chief executive officer.

Mike Gallagher
Attorney
Wisconsin Legislative Reference Bureau
(608) 267-7511

From: Schoenfeldt, Eileen - GOV [<mailto:Eileen.Schoenfeldt@wisconsin.gov>]
Sent: Wednesday, September 18, 2013 9:32 AM
To: Gallagher, Michael
Subject: FW: Draft review: LRB -2916/P1 Topic: WEDC administrative reforms

Mike –

Thanks for the draft. We would like to have the board have hiring authority of the CFO and COO as well as the CEO.

Eileen

From: LRB.Legal [<mailto:lrblegal@legis.wisconsin.gov>]

Sent: Tuesday, September 17, 2013 4:54 PM

To: Schoenfeldt, Eileen - GOV

Subject: Draft review: LRB -2916/P1 Topic: WEDC administrative reforms

Following is the PDF version of draft LRB -2916/P1.



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Insert

regin

P2

S

1 AN ACT *to renumber and amend* 238.02 (3); *to amend* 238.02 (4) and 238.07
2 (1); and *to create* 238.02 (3) (d) and 238.04 (15) of the statutes; **relating to:** the
3 Wisconsin Economic Development Corporation's chief executive officer,
4 committees, and reporting obligations.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 SECTION 1. 238.02 (3) of the statutes is renumbered 238.02 (3) (a) and amended

6 to read:

7 238.02 (3) (a) ~~A The board shall hire a chief executive officer shall be~~
8 ~~nominated by the governor, and with the advice and consent of the senate appointed,~~
9 ~~to serve at the pleasure of the governor board.~~

repealed

change component

1 ~~(b) The board shall establish the chief executive officer's powers and duties and~~
2 ~~may delegate to the chief executive officer any powers and duties the board considers~~
3 ~~proper. The board may not transfer to another person any power or duty the board~~
4 ~~assigns to the chief executive officer.~~

5 ~~(c) The chief executive officer shall receive such compensation as may be~~
6 ~~determined by the board.~~

7 ~~SECTION 2. 238.02 (3) (d) of the statutes is created to read:~~

8 ~~238.02 (3) (d) The governor shall coordinate with the chief executive officer as~~
9 ~~if the chief executive officer is the head of a department or independent agency in the~~
10 ~~executive branch of state government.~~

11 ~~SECTION 3. 238.02 (4) of the statutes is amended to read:~~

12 ~~238.02 (4) All powers and duties assigned to the corporation under this chapter~~
13 ~~shall be exercised or carried out by the board, unless the board delegates the power~~
14 ~~or duty to an employee of the corporation or a committee established by the board.~~

15 ~~SECTION 4. 238.04 (15) of the statutes is created to read:~~

16 ~~238.04 (15) Establish such committees the board considers proper to assist~~
17 ~~with the corporation's operation.~~

18 ~~SECTION 5. 238.07 (1) of the statutes is amended to read:~~

19 ~~238.07 (1) Annually, by January October 1, the board shall submit to the chief~~
20 ~~clerk of each house of the legislature, for distribution to the legislature under s.~~
21 ~~13.172 (2), a report identifying the economic development projects that the board~~
22 ~~intends to develop and implement during the current calendar year.~~

23 (END)

Insert A1

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2916/P2ins
MPG:eev:jm

1 **INSERT** ~~A~~

2 **SECTION 1.** 238.02 (4) of the statutes is renumbered 238.02 (4) (a) and amended
3 to read:

4 238.02 (4) (a) All powers and duties assigned to the corporation under this
5 chapter shall be exercised or carried out by the board, unless the board delegates the
6 power or duty to an employee of the corporation or a committee established by the
7 board, except that an employee may not exercise any power or duty under par. (b).

8 History: 2011 a. 7, 32.

8 **SECTION 2.** 238.02 (4) (b) of the statutes is created to read:

9 238.02 (4) (b) The board shall hire a chief executive officer, who shall serve as
10 the corporation's head administrator, a chief operating officer, and a chief financial
11 officer, all of whom shall serve at the pleasure of the board and receive such
12 compensation as may be determined by the board.

 ****NOTE: I used "head administrator" instead of simply "head" because the WEDC
board would be considered the "head" of WEDC as that term is used with respect to
departments and independent agencies in state government. See s. 15.01 (8), stats. Is
that change okay?

13 **SECTION 3.** 238.02 (4) (c) of the statutes is created to read:

14 238.02 (4) (c) The governor shall coordinate with the chief executive officer as
15 if the chief executive officer is the secretary of a department in the executive branch
16 of state government who is appointed by the governor.

 ****NOTE: I changed "head" to "secretary" and removed the reference to
independent agencies because that treatment more precisely achieves my understanding
of the intent that the governor treat the CEO of WEDC as a cabinet secretary.
Department secretaries are the individuals who generally make up the governor's
cabinet, whereas the "head" of an independent agency is often a board, rather than an
individual. See subchs. II and III of ch. 15, stats. Is that change okay?

17 **END INSERT** ~~A~~

Gallagher, Michael

From: Schoenfeldt, Eileen - GOV <Eileen.Schoenfeldt@wisconsin.gov>
Sent: Wednesday, September 25, 2013 8:45 AM
To: Gallagher, Michael
Subject: Re: Draft review: LRB -2916/P2 Topic: WEDC administrative reforms

Yes, please remove that section. Thanks.

Sent from my iPhone

On Sep 25, 2013, at 8:26 AM, "Gallagher, Michael" <Michael.Gallagher@legis.wisconsin.gov> wrote:

Yes. It has always been my opinion that the board can create committees under its general power to do all things necessary or convenient to carry out its duties. I agree that there is no need to include committee creation as a specific power of the board. That is especially true if we reference committees elsewhere. Do you want me to remove the creation of 238.04 (15) from the draft?

Mike

Mike Gallagher
Attorney
Wisconsin Legislative Reference Bureau
(608) 267-7511

From: Schoenfeldt, Eileen - GOV [<mailto:Eileen.Schoenfeldt@wisconsin.gov>]
Sent: Tuesday, September 24, 2013 4:26 PM
To: Gallagher, Michael
Subject: FW: Draft review: LRB -2916/P2 Topic: WEDC administrative reforms

Mike – this looks good and we are ok with the changes made that are referenced in the notes.

One thing – is it necessary to have the addition in 238.04 (15) about establishing the committees? Doesn't the board have that power already? I think the concern is that listing out every power of the board in that section will make it pretty cumbersome.

Let me know what you think.

Eileen

From: LRB.Legal [<mailto:lrblegal@legis.wisconsin.gov>]
Sent: Monday, September 23, 2013 3:03 PM
To: Schoenfeldt, Eileen - GOV
Subject: Draft review: LRB -2916/P2 Topic: WEDC administrative reforms

Following is the PDF version of draft LRB -2916/P2.



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Insert

11

ref 11

1 AN ACT *to repeal* 238.02 (3); *to renumber and amend* 238.02 (4); *to amend*
2 238.07 (1); and *to create* 238.02 (4) (b), 238.02 (4) (c) and 238.04 (15) of the
3 statutes; **relating to:** the Wisconsin Economic Development Corporation's
4 officers, committees, and reporting obligations.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 238.02 (3) of the statutes is repealed.

6 **SECTION 2.** 238.02 (4) of the statutes is renumbered 238.02 (4) (a) and amended
7 to read:

8 238.02 (4) (a) All powers and duties assigned to the corporation under this
9 chapter shall be exercised or carried out by the board, unless the board delegates the

1 power or duty to an employee of the corporation or a committee established by the
2 board, except that an employee may not exercise any power or duty under par. (b).

3 **SECTION 3.** 238.02 (4) (b) of the statutes is created to read:

4 238.02 (4) (b) The board shall hire a chief executive officer, who shall serve as
5 the corporation's head administrator, a chief operating officer, and a chief financial
6 officer, all of whom shall serve at the pleasure of the board and receive such
7 compensation as may be determined by the board.

****NOTE: I used "head administrator" instead of simply "head" because the WEDC board would be considered the "head" of WEDC as that term is used with respect to departments and independent agencies in state government. See s. 15.01 (8), stats. Is that change okay?

8 **SECTION 4.** 238.02 (4) (c) of the statutes is created to read:

9 238.02 (4) (c) The governor shall coordinate with the chief executive officer as
10 if the chief executive officer is the secretary of a department in the executive branch
11 of state government who is appointed by the governor.

****NOTE: I changed "head" to "secretary" and removed the reference to independent agencies because that treatment more precisely achieves my understanding of the intent that the governor treat the CEO of WEDC as a cabinet secretary. Department secretaries are the individuals who generally make up the governor's cabinet, whereas the "head" of an independent agency is often a board, rather than an individual. See subchs. II and III of ch. 15, stats. Is that change okay?

12 **SECTION 5.** 238.04 (15) of the statutes is created to read:

13 238.04 (15) Establish such committees the board considers proper to assist
14 with the corporation's operation.

15 **SECTION 6.** 238.07 (1) of the statutes is amended to read:

16 238.07 (1) Annually, by ~~January~~ October 1, the board shall submit to the chief
17 clerk of each house of the legislature, for distribution to the legislature under s.
18 13.172 (2), a report identifying the economic development projects that the board
19 intends to develop and implement during the current calendar year.

20 (END)

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2916/lins
MPG:eev:jm

1 **INSERT A**

 This bill makes several changes to the laws governing the operation of the Wisconsin Economic Development Corporation (WEDC), including the following:

* Under current law, any power or duty assigned by law to WEDC is to be exercised by the ~~Board~~ of WEDC (board), unless the board delegates the power or duty to a WEDC employee. The bill further authorizes the board to delegate any power or duty to a committee created by the board.

 Also under current law, the governor appoints the chief executive officer of WEDC with the advice and consent of the senate, and the chief executive officer serves at the pleasure of the governor. Under the bill, the board, not the governor, is required to hire the chief executive officer of WEDC. The bill also requires the board to hire a chief operating officer and a chief financial officer for WEDC. Under the bill, the chief executive officer, chief operating officer, and chief financial officer all serve at the pleasure of the board. The bill requires the governor to treat the chief executive officer of WEDC as if he or she were the secretary of a department in the executive branch of state government appointed by the governor.

2 **END INSERT A**

Gallagher, Michael

From: Schoenfeldt, Eileen - GOV <Eileen.Schoenfeldt@wisconsin.gov>
Sent: Wednesday, October 02, 2013 11:32 AM
To: Gallagher, Michael
Subject: RE: Draft review: LRB -2916/P2 Topic: WEDC administrative reforms

Mike --

Sorry, one more small change on this draft.

Change line 2, page 3 from "calendar year" to "fiscal year".

Eileen

From: Gallagher, Michael [<mailto:Michael.Gallagher@legis.wisconsin.gov>]
Sent: Wednesday, September 25, 2013 8:47 AM
To: Schoenfeldt, Eileen - GOV
Subject: RE: Draft review: LRB -2916/P2 Topic: WEDC administrative reforms

Will do.

Mike Gallagher
Attorney
Wisconsin Legislative Reference Bureau
(608) 267-7511

From: Schoenfeldt, Eileen - GOV [<mailto:Eileen.Schoenfeldt@wisconsin.gov>]
Sent: Wednesday, September 25, 2013 8:45 AM
To: Gallagher, Michael
Subject: Re: Draft review: LRB -2916/P2 Topic: WEDC administrative reforms

Yes, please remove that section. Thanks.

Sent from my iPhone

On Sep 25, 2013, at 8:26 AM, "Gallagher, Michael" <Michael.Gallagher@legis.wisconsin.gov> wrote:

Yes. It has always been my opinion that the board can create committees under its general power to do all things necessary or convenient to carry out its duties. I agree that there is no need to include committee creation as a specific power of the board. That is especially true if we reference committees elsewhere. Do you want me to remove the creation of 238.04 (15) from the draft?

Mike

Mike Gallagher
Attorney
Wisconsin Legislative Reference Bureau
(608) 267-7511

From: Schoenfeldt, Eileen - GOV [<mailto:Eileen.Schoenfeldt@wisconsin.gov>]
Sent: Tuesday, September 24, 2013 4:26 PM
To: Gallagher, Michael
Subject: FW: Draft review: LRB -2916/P2 Topic: WEDC administrative reforms

Mike – this looks good and we are ok with the changes made that are referenced in the notes.

One thing – is it necessary to have the addition in 238.04 (15) about establishing the committees? Doesn't the board have that power already? I think the concern is that listing out every power of the board in that section will make it pretty cumbersome.

Let me know what you think.

Eileen

From: LRB.Legal [<mailto:lrblegal@legis.wisconsin.gov>]
Sent: Monday, September 23, 2013 3:03 PM
To: Schoenfeldt, Eileen - GOV
Subject: Draft review: LRB -2916/P2 Topic: WEDC administrative reforms

Following is the PDF version of draft LRB -2916/P2.



stays

1/2

2013 BILL

Regen

- 1 AN ACT *to repeal* 238.02 (3); *to renumber and amend* 238.02 (4); *to amend*
2 238.07 (1); and *to create* 238.02 (4) (b) and 238.02 (4) (c) of the statutes;
3 **relating to:** the Wisconsin Economic Development Corporation's officers,
4 committees, and reporting obligations.

Analysis by the Legislative Reference Bureau

This bill makes several changes to the laws governing the operation of the Wisconsin Economic Development Corporation (WEDC), including the following:

Under current law, any power or duty assigned by law to WEDC is to be exercised by the board of WEDC (board), unless the board delegates the power or duty to a WEDC employee. The bill further authorizes the board to delegate any power or duty to a committee created by the board.

Also under current law, the governor appoints the chief executive officer of WEDC with the advice and consent of the senate, and the chief executive officer serves at the pleasure of the governor. Under the bill, the board, not the governor, is required to hire the chief executive officer of WEDC. The bill also requires the board to hire a chief operating officer and a chief financial officer for WEDC. Under the bill, the chief executive officer, chief operating officer, and chief financial officer all serve at the pleasure of the board. The bill requires the governor to treat the chief

BILL

executive officer of WEDC as if he or she were the secretary of a department in the executive branch of state government appointed by the governor.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

✓

1 **SECTION 1.** 238.02 (3) of the statutes is repealed.

✓

2 **SECTION 2.** 238.02 (4) of the statutes is renumbered 238.02 (4) (a) and amended
3 to read:

4 238.02 (4) (a) All powers and duties assigned to the corporation under this
5 chapter shall be exercised or carried out by the board, unless the board delegates the
6 power or duty to an employee of the corporation or a committee established by the
7 board, except that an employee may not exercise any power or duty under par. (b).

✓

8 **SECTION 3.** 238.02 (4) (b) of the statutes is created to read:

9 238.02 (4) (b) The board shall hire a chief executive officer, who shall serve as
10 the corporation's head administrator, a chief operating officer, and a chief financial
11 officer, all of whom shall serve at the pleasure of the board and receive such
12 compensation as may be determined by the board.

✓

13 **SECTION 4.** 238.02 (4) (c) of the statutes is created to read:

14 238.02 (4) (c) The governor shall coordinate with the chief executive officer as
15 if the chief executive officer is the secretary of a department in the executive branch
16 of state government who is appointed by the governor.

✓

17 **SECTION 5.** 238.07 (1) of the statutes is amended to read:

18 238.07 (1) Annually, by ~~January~~ October 1, the board shall submit to the chief
19 clerk of each house of the legislature, for distribution to the legislature under s.

BILL

1 13.172 (2), a report identifying the economic development projects that the board
2 intends to develop and implement during the current ~~calendar~~ year.

3

(END)

fiscal

Barman, Mike

From: Schoenfeldt, Eileen - GOV <Eileen.Schoenfeldt@wisconsin.gov>
Sent: Thursday, October 03, 2013 8:23 AM
To: LRB.Legal
Cc: Gallagher, Michael
Subject: Draft Review: LRB -2916/2 Topic: WEDC administrative reforms

Please Jacket LRB -2916/2 for the ASSEMBLY.

Can I also get a companion version jacketed for the Senate please. Thanks!

Eileen Schoenfeldt
Policy Advisor
Office of Governor Scott Walker
(608) 261-2163
eileen.schoenfeldt@wisconsin.gov

Barman, Mike

From: Gallagher, Michael
Sent: Thursday, October 03, 2013 8:26 AM
To: Schoenfeldt, Eileen - GOV; LRB.Legal
Subject: RE: Draft Review: LRB -2916/2 Topic: WEDC administrative reforms

I'll take care of the senate companion.

Mike Gallagher
Attorney
Wisconsin Legislative Reference Bureau
(608) 267-7511

From: Schoenfeldt, Eileen - GOV [<mailto:Eileen.Schoenfeldt@wisconsin.gov>]
Sent: Thursday, October 03, 2013 8:23 AM
To: LRB.Legal
Cc: Gallagher, Michael
Subject: Draft Review: LRB -2916/2 Topic: WEDC administrative reforms

Please Jacket LRB -2916/2 for the ASSEMBLY.

Can I also get a companion version jacketed for the Senate please. Thanks!

Eileen Schoenfeldt
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Office of Governor Scott Walker
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